

**Maine Revised Statutes**  
**Title 23: TRANSPORTATION**

**Chapter 304: ACQUISITION OF PROPERTY FOR HIGHWAY PURPOSES**

**§3026. DISCONTINUANCE OF TOWN WAYS**

**1. General procedures.** A municipality may terminate in whole or in part any interests held by it for highway purposes. A municipality may discontinue a town way or public easement after the municipal officers have given best practicable notice to all abutting property owners and the municipal planning board or office and have filed an order of discontinuance with the municipal clerk that specifies the location of the way, the names of abutting property owners and the amount of damages, if any, determined by the municipal officers to be paid to each abutter.

Upon approval of the discontinuance order by the legislative body, and unless otherwise stated in the order, a public easement shall, in the case of town ways, be retained and all remaining interests of the municipality shall pass to the abutting property owners to the center of the way. For purposes of this section, the words "public easement" shall include, without limitation, an easement for public utility facilities necessary to provide service.

[ 1981, c. 683, §1 (NEW) . ]

**2. Definition of best practicable notice.** "Best practicable notice" means, at minimum, the mailing by the United States Postal Service, postage prepaid, first class, of notice to abutting property owners whose addresses appear in the assessment records of the municipality.

[ 1981, c. 683, §1 (NEW) . ]

**SECTION HISTORY**

1975, c. 711, §8 (NEW). 1977, c. 301, §1 (AMD). 1981, c. 683, §1 (RPR).

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